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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

IN RE:
Christopher James Ivester

Debtor

CASE NO: 25-20424

Chapter 13

Judge KEVIN R. ANDERSON

TRUSTEE'S MOTION TO DISMISS

The Standing Chapter 13 Trustee for the District of Utah, hereby moves the Court under 11 U.S.C. § 1307(c) and Local Rule 1007-1(a)(2) and 2083-1(g) for an order dismissing this case due to the Debtor's failure to timely comply with the provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and/or the Local Rules.

1. The Debtor filed a Chapter 13 petition on January 28, 2025, and the 341 Meeting is scheduled for March 07, 2025.
2. The following required document(s) were not filed with the bankruptcy court within 14 days of the petition date, as required by Bankruptcy Rule 1007, Bankruptcy Rule 3015(b) and/or Local Rule 2083-1(e):

A profit and loss statement if a debtor had self-employment income for the 60 days prior to filing, including income reported on an IRS Form 1099. See Local Rule 2083-1(e)(1)(C)

A business questionnaire for each business operated by the debtor for the 60 days prior to the filing, on a form supplied by the trustee. See Local Rule 2083-1(e)(D).

3. Because the required bankruptcy papers were not timely filed, the Trustee will be unable to adequately review this case before the 341 Meeting so that a complete and meaningful examination of the debtor can be conducted. However, **the debtor must appear** and the Trustee will call and preside at the §341 meeting to permit creditors to question the debtor, but the Trustee will not question the debtor and the §341 meeting will be continued until after a hearing on the motion to dismiss has been held unless prior to the §341 meeting the debtor resolves the above-noted deficiencies which gave rise to the motion to dismiss and the court enters an order directing the Trustee to conduct and question the debtor at the scheduled §341 meeting (See Local Rule 2083-1(g)).

4. The debtor must still make the first Chapter 13 plan payment to the Trustee on or before the first scheduled 341 Meeting (see Local Rule 2083-1(c)). Failure to appear at the scheduled 341 meeting will result in an additional motion to dismiss to be filed (See Local Rule 2083-1(f)).

5. Pursuant to Local Rule 2083-1(g), you must file an objection to this with the bankruptcy court within 21 days after service of the motion, or the bankruptcy court clerk must enter an order dismissing the case. Unless otherwise directed by the court, this motion will be heard at the confirmation hearing scheduled for April 15, 2025.

WHEREFORE, the Trustee moves this Court for the entry of an order dismissing this case under 11 U.S.C. § 1307(c) and/or Local Rule 2083-1(g)(3).

DATED: 02/26/2025

LAJ /S/
LON A. JENKINS
CHAPTER 13 TRUSTEE

CERTIFICATE OF MAILING

The undersigned hereby certifies that true and correct copy of the foregoing Trustee's Motion to Dismiss was served upon all persons entitled to receive notice in this case via ECF notification or by U.S. Mail to the following parties on February 26, 2025:

Christopher James Ivester, HC 65 Box 215, Duchesne, UT 84021

JUSTIN O. BURTON, ECF Notification

WELTMAN, WEINBERG & REIS CO. LPA, GARRY MASTERSON, 5990 W CREEK
RD STE 200, INDEPENDENCE, OH 44131

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/s/ Chelsea Anderson
